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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 09-00070 SBA
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	CONTINUING STATUS CONFERENCE
v.	)	AND EXCLUDING TIME
	)	
JEROME TOY SINCLAIR,	)	
	)	
Defendant.	)	

Plaintiff, by and through its attorney of record, and defendant, by and through his attorney of record, hereby stipulate and ask the Court to find as follows:

1. A status conference in this matter is currently scheduled for 9:30 a.m. on Wednesday, March 30, 2011, before the Honorable Donna M. Ryu, United States Magistrate Judge.

2. The parties request that this hearing be continued until 10:00 a.m. on Tuesday, April 26, 2011, before the Honorable Sandra Brown Armstrong, United States District Judge, in order to provide defendant's counsel with additional time to evaluate the evidence in this case and determine whether or not defendant should enter a change of plea or file motions and to

STIPULATION AND ORDER RESCHEDULING  
HEARING; EXCLUDING TIME

prepare for trial in this matter.

3. Specifically, defendant's counsel needs the continuance in order to conduct further investigation regarding the informant in this case. The parties believe that failure to grant the above-requested continuance would deny defendant's counsel and defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence and that the ends of justice served by continuing the case as requested outweigh the interest of the public and defendant in a trial within the date prescribed by the Speedy Trial Act.

4. Thus, the parties respectfully request that the Court find that the time period from March 30, 2011, to April 26, 2011, is excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv) because it results from a continuance granted by the Court at the defendant's request and on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial and because failure to grant the continuance would unreasonably deny defense counsel the time necessary for effective preparation for trial, taking into account due diligence.

IT IS SO STIPULATED.

MELINDA HAAG  
United States Attorney

Dated: March 28, 2011

/s/  
GARTH HIRE  
Assistant United States Attorney  
Attorney for United States of America

Dated: March 28, 2011

/s/  
MICHAEL HINCKLEY  
Attorney for Defendant  
Jerome Toy Sinclair

**ORDER**

FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

1. The currently scheduled March 30, 2011, status conference hearing is vacated. A status conference hearing is now scheduled for 10:00 a.m. on April 26, 2011, before the Honorable Saundra Brown Armstrong, United States District Judge.

2. The time period from March 30, 2011, to April 26, 2011, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv) because it results from a continuance granted by the Court at the defendant's request and on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial and because failure to grant the continuance would unreasonably deny defense counsel the time necessary for effective preparation for trial, as set forth above, taking into account due diligence.

DATED: 3/29/2011

  
HONORABLE DONNA M. RYU  
UNITED STATES MAGISTRATE JUDGE